



United States Attorney  
Southern District of New York

# MEMO ENDORSED

## BY FACSIMILE

The Honorable Kevin N. Fox  
United States Magistrate Judge  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Room 540  
New York, New York 10007

The Silvio J. Molla Building  
One Saint Andrew's Plaza  
New York, New York 10007

August 10, 2007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 08/11/07

Re: United States v. Thomas Johnson  
07 Cr. 696 (KNF)

Dear Judge Fox:

The above-captioned Information, a copy of which is enclosed, was assigned to Your Honor on August 9, 2007. The defendant was presented and arraigned before Your Honor on August 8, 2007. I respectfully request that the Court schedule an initial pretrial conference in this matter. Steven Statsinger, Esq., attorney for the defendant, advises me that he is unavailable August 13, 2007, August 15, 2007, and August 22, 2007.

I further respectfully request that the Court exclude time until the initial pretrial conference, pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(8)(A), to permit the Government to prepare and produce discovery. The ends of justice served by such an exclusion of time outweigh the best interest of the public and the defendant in a speedy trial. Defense counsel consents to this exclusion of time. I appreciate Your Honor's consideration of these matters.

8/10/07

*A conference shall be held  
on August 21, 2007, at 11:30 a.m.  
in Courtroom 20A. The time  
between August 10, 2007, and August  
21, 2007, is excluded from the  
Speedy Trial Act calculation on  
consent.*

*SO ORDERED:*

*Kevin Nathaniel Fox*  
KEVIN NATHANIEL FOX, U.S.M.J.

By:

Respecifuly,

MICHAEL J. GARCIA  
United States Attorney

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Assistant United States Attorney  
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Enclosure

cc: Steven Statsinger, Esq. (by facsimile)